

Message Text

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12

ACTION DLOS-05

INFO OCT-01 ISO-00 NEA-09 IO-10 COA-01 L-02 INR-07 OES-03

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R 300635Z JAN 75

FM AMEMBASSY TEHRAN

TO SECSTATE WASHDC 03

USMISSION USUN NEW YORK

C O N F I D E N T I A L TEHRAN 0910

STADIS////////////////////////////////////

FOR STEVENSON AND MOORE FROM OXMAN

E.O. 11652: GDS

TAGS: PLOS

SUBJ: LOS - EVENSEN GROUP

1. EVENSEN INDICATED THAT NY MEETING WOULD DEAL WITH ECONOMIC ZONE IN MORNINGS AND POLLUTION AND RESEARCH IN AFTERNOONS. EVENSEN TENTATIVELY EXPECTS TO TAKE UP POLLUTION FIRST WEEK.

2. NEW TEXTS ON ECONOMIC ZONE AND POLLUTION BEING PROPOSED THIS WEEK, HOPEFULLY FOR DISTRIBUTION AT END OF WEEK. FISHERIES TEXTS FROM AUSTRALIA JUST RECEIVED BY VINDENESS. VISIT THUS VERY WELL TIMED; RESULTS REMAIN TO BE SEEN.

3. DURING DISCUSSION DISPUTE SETTLEMENT, I STRESSED THAT REVIEW ON FISHERIES QUESTIONS WOULD BE PARALLEL TO DOMESTIC COURT REVIEW OF A REGULATORY AGENCY. COURT COULD NOT SUBSTITUTE ITS OWN VIEW OF MOST REASONABLE REGULATIONS, BUT IN ESSENCE COULD ONLY DETERMINE IF COASTAL STATE EXCEEDED ITS SCOPE OF DISCRETION: FRENCH ADMINISTRATIVE LAW CONCEPT OF "EXCES DE POUVOIR". EVENSEN SAID THIS WAS EXTREMELY IMPORTANT POINT THAT WENT TO HEART OF THEIR ENTIRE ATTITUDE ON CDS, AND AGREED TO TALK TO HANS ANDERSEN OF ICELAND ABOUT THIS. EVENSEN GENERALLY AGREED ON SUITS BY PRIVATE PERSONS WHERE CASE INVOLVES SEABED AUTHORITY OR RELEASE OF VESSEL, BUT
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SUGGESTED STATES BE REQUIRED TO ENFORCE JUDGMENT ON THEIR

NATIONALS.

MIKLOS

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